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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/579,746	05/26/2000	GREGORY W. COX	CM03931H	9791

22917 7590 08/12/2002

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EXAMINER

LE, THANG Q

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 08/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/579,746

Applicant(s)

COX ET AL.

Examiner

Thang Q Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9, 13-16, 20-22, 24-25, 32-36, 38-42, 44 and 46 are rejected under 35

U.S.C. 102(b) as being anticipated by Dean et al (US 5901211)

1. As to claims 1-3 and 39, Dean teaches an apparatus that communicates with a communication system, wherein the communication system processes a communication signal by performing any of a plurality of operations on the communication signal, the apparatus comprising:

a processor (fig.1 and 2; PBX 12 and col.4; lines 39-45) that receives information regarding the availability of a geographical location of a primary communication device (cellular phone 20), wherein the information indicates whether the geographical location is available, and further wherein, if the information indicates that the geographical location is available (out of guest room), then the processor identifies one or more of the operations to be performed on the communication signal based on the geographical location of the primary communication device,(the call is forwarded to cellular phone), and if the information indicates that the geographical location is not available (in the guest room), then the processor identifies one or more of the operations to be performed on the communication signal based on the information that the geographical location is not available,(the database is updated and based on

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the geographic location information, the forwarding of the calls the cellular phone is cancelled and the is transferred to the guest's in- room phone). (See fig. 1, 2 and col.3; line 7-col.4; line 38).

2. As to claims 4, 6 and 41, Dean teaches one of the operations comprises forwarding the communication signal to a target communication device (guest's in- room phone) (col.3; lines 52-54)

3. As to claims 5, 20, 22, 36 and 40, Dean teaches the target communication device is a telephone (col.3; lines 52-54)

4. As to claim 7, Dean teaches a memory coupled to the processor, wherein the processor identifies one of the plurality of candidate communication devices as a target communication device to which the call shall be forwarded further based on information stored in the memory (col.3; lines 14-19 and lines 48-54).

5. As to claims 8 and 38, Dean teaches the information stored in the memory comprises a database, wherein the database comprises a list of the candidate communication devices (in-room phone or cellular phone) and a list of one or more geographical regions (subscriber in hotel room or out of hotel room), wherein each of the geographical regions is associated with one of the candidate communication devices, and further wherein the processor compares the geographical location of the primary communication device to the list of geographical regions to determine in which of the geographical regions the primary communication device is located, and further wherein the processor identifies the candidate communication device associated with the geographical region within which the primary communication device is located as the target

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communication device to which the communication signal is to be forwarded (col.3; lines 14-19 and lines 48-54).

6. As to claim 9, Dean teaches wherein the information stored in the memory comprises a set of conditions (subscriber is in hotel room or not) that are associated with one of the candidate communication devices (in-room phone or cellular phone) and wherein the processor tests each of the conditions such that if all of the conditions are satisfied, then the processor identifies the candidate communication device associated with the set of conditions as the target communication device to which the communication signal is to be forwarded. If the condition which says subscriber is in hotel room is satisfied, the in-room phone is identified as a target communication device to receive the incoming call. (See col.3; lines 14-19 and lines 48-54).

7. As to claims 13 and 34, Dean teaches the processor is disposed in a communication device (switching center (col.2; lines 47-50) or detector (col.3; line 66- col. 45; line 45)).

8. As to claim 14 and 35, Dean teaches a location determining apparatus (location register 82; fig.3) that determines the location of the primary communication device is disposed in the communication device (col.4; lines 40-45).

9. As to claims 15-16 and 32-33, the communication system comprises a switching center (12) and wherein a location determining apparatus (82) that determines the location of the primary communication device is disposed in a mobile geographical location center that is coupled to the switching center and wherein the location determining apparatus informs the communication system of the geographical location of the primary communication device and wherein the switching center communicates the geographical location of the primary

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communication device to the processor disposed in the communication device (80) (fig.3 and col.3; line 66- col.4; line 45).

10. As to claim 21, Dean teaches the communication system comprises a telephone communication system and wherein the communication signal comprises a telephone call (fig. 1, 2 and col.3; line 7-col.4; line 45).

11. As to claim 24, Dean teaches an apparatus that communicates with a telephone communication system for processing a telephone call, wherein the processing performed by the telephone communication system comprises forwarding the telephone call, the apparatus comprising:

a processor that receives information comprising a geographical location at which a primary communication device (cellular telephone) is located (fig. 1, 2 and col.3; line 7-19 or col.4; line 39-45) and that identifies a target communication device (in-room telephone or cellular phone) to which the call shall be forwarded based on the geographical location (subscriber is in hotel room or outside hotel room) of the primary communication device (cellular telephone). (See fig. 1,2 and col.3; line 7-col.4; line 45).

11. As to claim 25, Dean teaches the apparatus further comprising:

a memory (location register) coupled to the processor wherein data is stored, and wherein the data comprises a list of one or more candidate communication devices (hotel-room telephone or cellular phone), and wherein the data further comprises a list of one or more geographical regions (subscriber is in hotel-room or outside of hotel-room), wherein each of the geographical regions is associated with one of the candidate communication devices (col.3; lines 48-58); and

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wherein the processor compares the geographical location of the primary communication device to the one or more geographical regions in the memory to determine in which of the one or more geographical regions (inside or outside of hotel-room) the primary communication device is located, and further wherein the processor identifies the candidate communication device(in-room hotel telephone or cellular phone) associated with the geographical region (inside or outside hotel room) within which the primary communication device is located as the target communication device to which the call shall be forwarded (col.3; line 7- col.4; line 45).

12. As to claim 42, Dean teaches at least one of the candidate communication devices comprises a telephone (in-room telephone) and wherein the primary communication device comprises a telephone (cellular phone).

13. As to claim 44, steps b) and c) further comprise the step of accessing a memory in which data is stored, wherein the data includes a list of geographical regions and further includes a list of candidate operations (in-room telephone), wherein each of the geographical regions are associated with one of the candidate operations (in-room telephone is the target device when subscriber is inside hotel room), and wherein the geographical region in which the primary communication device is located is determined (col. 3; lines 15-17), and further wherein the operation to be performed on the communication signal is identified as the candidate operation associated with the geographical region in which the primary communication device is located .

14. As to claim 46, Dean teaches a step of providing the identity of the operation (forwarding calls to cellular or in-room hotel phone) to be performed to a communication system so that the communication system may perform the identified operation (forwarding calls to determined phone) on the communication signal

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 10, 23, 26, 31, 37 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean et al (5901211) in view of Kugell et al (5802160).

15. As to claim 10, Dean fails to disclose the one or more operations to be performed on the communication signal further depends on a time at which the communication signal is processed by the communication system. However, Kugell teaches the one or more operations to be performed on the communication signal depend on a time at which the communication signal is processed by the communication system (col. 5; lines 30-56). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teachings to Kugell to the system of Dean in order to control available time according to schedule of users so as to provide convenience to users.

16. As to claims 23, 26 and 31, Kugell teaches the processor (142; fig.4) comprises a first processor, and wherein the apparatus further comprises a communication network coupled to the first processor (col.7; lines 58-66) and further coupled to a plurality of second processors (142), wherein at least one of the second processors may be used to enter the information into the memory (col.8; lines 6-8) and further wherein at least one of the second processors may be used to edit the information stored in the memory (col.66; line 66- col.5; line 5).

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17. As to claim 37, Kugell teaches the target communication device is a voicemail program (col.5; lines 44-45).

18. As to claim 45, Dean fails to show the communication signal comprises information that identifies a subscriber and wherein the method further comprises a step of determining whether the subscriber identified in the communication signal is authorized, such that if the subscriber is authorized, then the steps of a), b) and c) are performed, and if the subscriber is not authorized, then the steps of a), b) and c) are not performed. However, Kugell teaches the communication signal comprises information that identifies a subscriber and comprises a step of determining whether the subscriber identified in the communication signal is authorized (col.5; line 57- col.6; line 4), such that if the subscriber is authorized, then the signal communication process continues, and if the subscriber is not authorized, then the process stop

Claims 27- 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean et al (5901211) and Kugell et al (5802160) as applied to claim 25 above, and further in view of Rossmann (US 6430409).

19. As to claim 27, Dean and Kugell fail to show the communication network comprises the Internet and wherein the plurality of second processors are capable of communicating with the first processor via the Internet. However, Rossmann teaches a communication network comprises Internet wherein the plurality of second processors (cellular telephone 700) are capable of communicating with the first processor (server computer 743) via the Internet (see fig. 7, col. 22; lines 45-60 and col.23; line 53- col.25; line 6). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the

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teachings of Rossmann to the combined system of Dean and Kugell in order to operate a telephone through Internet system.

20. As to claim 28, Rossmann teaches the first processor is adapted to operate as an Internet server (743; fig. 7) that supports an Internet web page (fig. 7).

21. As to claim 29, Rossmann teaches the Internet web page comprises a set of data fields into which the data may be entered (see fig. 12 and col. 37; lines 12-35).

Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dean et al (5901211), Kugell et al (5802160) and Rossmann (US 6430409) as applied to claim 29 above, and further in view of Hirono (US 6246958).

22. As to claim 30, Dean, Kugell and Rossmann fail to show Internet web page comprises a geographical map, and wherein the portions of the geographical map may be highlighted to define the boundaries of one or more of the geographical regions for subsequent storage in the memory. However, Hirono teaches Internet web page comprises a geographical map, and wherein the portions of the geographical map may be highlighted to define the boundaries of one or more of the geographical regions for subsequent storage in the memory (see fig.3, 4 and col. 4; lines 55-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to follow and apply the teachings of Hirono to the system of Dean, Kugell and Rossmann in order to provide the car navigation system with more recent map data.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dean et al (5901211) in view of Moreau et al (US 5913168).

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23. As to claim 11, Dean fails to disclose the one or more operations to be performed on the communication signal further depends on a rate of speed at which the primary communication device is traveling when the communication signal is processed by the communication system. However, Moreau teaches method signaling communication of mobile between two base stations can take account on speed of the mobile to decide whether or not to trigger intercellular handovers (col.4; lines 8-36). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add a rate of speed of the primary communication device to conditional operations in system of Dean as taught by Moreau in order to wait until expiry of the delay time to take a decision concerning the handover.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dean et al (5901211)

24. As to claim 12, Dean inherently teaches the communication signal includes an identification code that identifies a source from which the communication signal originated and further wherein the one or more operations to be performed on the communication signal further depends on the identification code (fig.1, 2 and col.3; lines 7-54).

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dean et al (5901211) in view of Lewis (US 5796365)

25. As to claim 17, Dean teaches the processor is always provided the geographical location of the primary communication device by location register (fig.3). Dean fails to disclose a location determining apparatus that determines the location of the primary communication device is disposed in the primary communication device, and wherein the location determining apparatus informs the communication system of the geographical location of the primary

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communication device. However, Lewis teaches a location determining apparatus (14; fig.1) that determines the location of the primary communication device (vehicle 16) is disposed in the primary communication device (fig.1), and wherein the location determining apparatus informs the communication system of the geographical location of the primary communication device (col.8; lines 4-38). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to install a location determining apparatus in the primary communication device of Dean as taught by Lewis in order to increase accuracy of system operation by tracking and determining the geographic location of the primary communication device exactly.

Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean et al (5901211).

26. As to claim 18 and 19, Dean fails to disclose the communication system is a circuit mode communication system or a packet-switched mode communication system and wherein the communication signal is packet-switched communication signal. However, the examiner take official notice to consider the communication system is a circuit mode communication system or a packet-switched mode communication system as well known in the art. Thus, it would have been obvious for one having ordinary skill in the art to claim the communication system is a circuit mode communication system or a packet-switched mode communication system and wherein the communication signal is packet-switched communication signal.

Claim 43 and 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dean et al (5901211) in view of Ray et al (US 6067529)

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27. As to claim 43 and 47, Dean fails to the step of querying a geographical location determining apparatus that determines the geographical location of the primary communication device, wherein the step of querying is performed before step a). However, Ray teaches before a geographic location of a communication device is determined, the communication device does query location register that determines its geographic location (col.5; lines 14-18). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teachings of Ray to the system of Dean in order to enhance the operation of the system.

28. As to claim 48, Dean teaches a processor (80; fig. 3) can detect the geographic location of the primary device and inform the switching center (12; fig.3) of location information of the subscriber. Based on these in formation, the communication system determines the target device to forward the calls. If the subscriber enters to the room, the calls will be forwarded to in-room phone .If the subscriber does not enter to the room, the calls will be forwarded to the cellular phone. (See fig.3 and col.3; line 66-col.4; line 45).

29. As to claim 49, Dean teaches wherein the steps of 1) and a) and b) and c) are performed by a processor that is disposed in a location call filtering center that is coupled to a communication system (12; fig.2, 3 and col.3; line 7- col.4; line 45), and wherein the step 2) is performed by a processor disposed in a communication device (detector 80; fig. 3) that communicates with the communication system (col.3; line 7-col.4; line 45)

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Conclusion

30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thang Q Le whose telephone number is (703) 305-4367. The examiner can normally be reached on M-F from 8:30AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost, can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

THANG LE

Lee Nguyen *leen*
Primary Examiner